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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Kenji Fukasawa

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MARTINE PENILLA & GENCARELLA, LLP
710 LAKEWAY DRIVE
SUITE 200
SUNNYVALE, CA 94085

EXAMINER

BAKER, CHARLOTTE M

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 11/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/099,885	Applicant(s) FUKASAWA ET AL.	
	Examiner Charlotte M. Baker	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-15 and 26-28 is/are allowed.
- 6) ☒ Claim(s) 1,2,8-11,16,17 and 21-24 is/are rejected.
- 7) ☒ Claim(s) 3-7,12,18-20 and 25 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 June 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 8-11, 16-17 and 21-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Kakutani (6,215,561).

Regarding claim 1: Kakutani disclose a color converter (Fig. 9, pre-tone number conversion unit 140) for converting by use of a matrix operation (Fig. 23) image data of a first color system in a first color coordinate system (Fig. 9, RGB), said first color system capable of representing a first color number (Fig. 9), to image data of a second color system in a second color coordinate system (Fig. 9, CMY), said second color system (Fig. 9, CMY) capable of representing a second color number more numerous than the first color number, while preserving the first color number; an image processor (Fig. 9, image processing unit 30) for performing image processing on the converted image data in the second color system (Fig. 9, CMY); and a reproductive color number reducer (Fig. 9, post-tone number conversion unit 146) for reducing the reproductive color number of image data subjected to the image processing (col. 24, ln. 28-64 and col. 25, ln. 16-23 and col. 30, ln. 36-55).

Regarding claim 2: Kakutani satisfies all the elements of claim 1. Kakutani further discloses wherein image processing performed by the image processor (Fig. 9, image processing unit 30) includes gamma correction processing (col. 16, ln. 14-19).

Regarding claim 8: Kakutani discloses a first image processor (Fig. 9, pre-tone number conversion unit 140) for modifying a color value of the image data represented by an integral value (Fig. 9) having first effective digits into a first value having a greater place number than the place number of the first effective digits (Fig. 9) (col. 24, ln. 28 through col. 25, ln. 23); a tone number reduction preventer (Fig. 9, color correction unit 142 and color correction table memory 134) for preventing reduction of tone number (Fig. 9) of the image data accompanying modification of color value by the first image processor (Fig. 9, pre-tone number conversion unit 140); and a second image processor (Fig. 9, post-tone number conversion unit 146) for modifying the color values of image data having the first value from the first value to a second value reflected in image output results (Fig. 9) (col. 24, ln. 28 through col. 25, ln. 23 and col. 30, ln. 36-55).

Regarding claim 9: Kakutani satisfies all the elements of claim 8. Kakutani further discloses wherein the tone number reduction preventer (Fig. 9, color correction unit 142 and color correction table memory 134) prevents reduction of tone number of the image data by setting the effective digits of the first value to a greater place number than the place number of the first effective digits (col. 24, ln. 28 through col. 25, ln. 23).

Regarding claim 10: Kakutani satisfies all the elements of claim 9. Kakutani further discloses wherein the data size of image data prevented by the tone number reduction preventer (Fig. 9, color correction unit 142 and color correction table memory 134) from tone number reduction is larger than the data size of image data represented by integers having the first effective digits (col. 24, ln. 28 through col. 25, ln. 23).

Regarding claim 11: Kakutani satisfies all the elements of claims 8 to 10. Kakutani further discloses wherein the first image processor (Fig. 9, pre-tone number conversion unit 140) is color space converter for converting the color space of the image data from a first color space to a second color space (Fig. 9, RGB to CMY).

Regarding claim 16: Kakutani satisfies all the elements of claims 1 and 8 to 10. Kakutani further discloses an output (Fig. 2, color printer 22 or Fig. 1, image output unit 20) for outputting image data subjected to image processing by the image processing apparatus (Fig. 2, image processing unit 30).

Regarding claim 17: Arguments analogous to those stated in the rejection of claim 1 are applicable. A computer-readable medium that stores an image processing program is inherently taught as evidenced by computer 90 and various memories stored therein.

Regarding claim 21: Arguments analogous to those stated in the rejection of claim 8 are applicable. A computer-readable medium that stores an image processing program is inherently taught as evidenced by computer 90 and various memories stored therein.

Regarding claim 22: Kakutani satisfies all the elements of claim 21. Arguments analogous to those stated in the rejection of claim 9 are applicable. A computer-readable medium that stores an image processing program is inherently taught as evidenced by computer 90 and various memories stored therein.

Regarding claim 23: Kakutani satisfies all the elements of claim 22. Arguments analogous to those stated in the rejection of claim 10 are applicable. A computer-readable medium that stores an image processing program is inherently taught as evidenced by computer 90 and various memories stored therein.

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Regarding claim 24: Kakutani satisfies all the elements of claims 22 or 23. Arguments analogous to those stated in the rejection of claim 11 are applicable. A computer-readable medium that stores an image processing program is inherently taught as evidenced by computer 90 and various memories stored therein.

Allowable Subject Matter

3. Claims 13-15 and 26-28 are allowed.
4. Claims 3-7, 12, 18-20 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlotte M. Baker whose telephone number is 571-272-7459. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CMB
CMB

KAW Williams
KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER